CALIFORNIA CALIFORNIA

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

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CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

April 25, 2012 Agenda Item No. 1

SUBJECT: Newport Place Shopping Center - Sign Program (PA2012-024)

4221-4225 MacArthur Boulevard

Modification Permit No. MD2012-007

Comprehensive Sign Program CS2012-004

APPLICANT: Ridgeway/Whitney, Property Owner

PLANNER: Javier S. Garcia AICP, Senior Planner

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ZONING DISTRICT/GENERAL PLAN

Zoning Code – PC 11 Zoning District (Newport Place Planned Community) General Plan - MU-H2 (Mixed-Use Horizontal)

PROJECT SUMMARY

Request to approve a Comprehensive Sign Program in conjunction with the construction of a new retail commercial center. The sign program will establish development parameters for wall signs and monument signs for two, multi-tenant commercial buildings. The modification permit is required to allow an increase in the size/height of one of the freestanding signs to 6 feet, where the Newport Place Planned Community District Regulations limit the height to 4 feet.

RECOMMENDATION

- 1) Conduct a public hearing; and
- 2) Adopt Zoning Administrator Resolution No. ZA2012-____ approving Modification Permit No. MD2012-007 and Comprehensive Sign Program CS2012-004 (Attachment No. ZA 1).

DISCUSSION

- Newport Place Neighborhood is comprised of a combination of professional business office complexes and general commercial retail centers. The area is currently occupied by a former restaurant building that will be demolished and replaced by a commercial shopping center. Surrounding land uses include commercial office buildings, retail storefronts, hotel, restaurants, and a parking structure.
- The property is anticipated to serve the surrounding office uses and will be subject to both pedestrian and vehicular traffic.
- A comprehensive sign program is required whenever there is a building with frontage along a public right-of-way totaling more than 300 lineal feet. The development frontage is currently 1,520 lineal feet.
- The Zoning Code, which applies to commercial zoning districts other than Planned Community Districts, allows each tenant in a multi-tenant building or site to one wall sign of 1.5 times the linear frontage up to 75 square feet maximum sign area on the primary building frontage; other frontages are treated as secondary and are limited to 50% of the primary frontage allocation for any secondary building frontages. Strict application of this regulation does not provide adequate signage for the tenants that front on MacArthur Boulevard or project identification signs that identify the site and individual tenants within the subject commercial center.
- Pursuant to Section 20.42.140 (Comprehensive Sign Program), deviations from the sign standards are allowed with regard to sign area (allow an increase of up to 30%), total number, location, and/or height of signs (allow an increase of up to 20%) to the extent that the comprehensive sign program will enhance the overall development and will more fully accomplish the purpose and intent of the sign chapter. However, the proposed increase height for the monument sign is 50% which requires approval of a modification permit.
- The Sign Program as submitted by the applicant requests deviation in sign area, total number, and location of both the wall signs and the freestanding signs. Approval of the sign program would also allow, coupled with approval of the Modification Permit, for the increased height of one freestanding sign. The proposed signage will enhance the overall development of the site. It will provide adequate identification of the site and individual tenants by improving visibility from MacArthur Boulevard. The program will:
 - Allow more than one freestanding sign along the MacArthur Boulevard frontage.
 - Allow wall sign area increase up to no more than 30% in some cases.
 - Allow multiple signs per tenant that may include more than one wall sign, and pedestrian oriented signs and/or window signs.
 - Allow the addition of a project identification sign on the main building.
 - Modification permit approval for the height of a freestanding sign at 6 feet (a 50% increase), where the Newport Place Regulations limit to 4 feet.
- The sign program as recommended by staff will comply with the Sign Code of the Newport Municipal Code and is within the limitations authorized by the

Comprehensive Sign Program, with the exception of the height of one freestanding sign which is subject to the approval of a modification permit.

- The configuration of the site and the orientation of the buildings create a need for the modification permit to allow flexibility to accommodate the increased height of the additional freestanding sign to identify multiple tenants.
- The increased height of the freestanding sign will improve the sign's visibility as viewed from MacArthur Boulevard, a high speed arterial thoroughfare, and provide better identification of the site and the tenants.

ENVIRONMENTAL REVIEW

The project qualifies for Class 11 (Accessory Structures) categorical exemption, Section 15311 of the California Environmental Quality Act. This class exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

PUBLIC NOTICE

Notice of this hearing was published in the Daily Pilot, mailed to property owners within 300 feet (excluding intervening rights-of-way and waterways) of the property and posted at the site a minimum of 10 days in advance of this hearing consistent with the Municipal Code. Additionally, the item appeared upon the agenda for this meeting, which was posted at City Hall and on the City website.

<u>APPEAL PERIOD</u>: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

Prepared by:

Javier S. Garcia, Al

Senior Planner

BW/jsg

Attachments: ZA 1 Draft Resolution

ZA 2 Vicinity Map

ZA 3 Applicant's Justification Letter

ZA 4 Project Plans

Attachment No. ZA 1

Draft Resolution

4221-4225 MacArthur Blvd Modification Permit No. MD2012-007 Comprehensive Sign Program No. CS2012-004 (PA2012-024)

RESOLUTION NO. ZA2012-___

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COMPREHENSIVE SIGN PROGRAM NO. CS2012-004 AND MODIFICATION PERMIT NO. MD2012-007 FOR THE NEWPORT PLACE RETAIL CENTER LOCATED AT 4221-4225 MACARTHUR BOULEVARD (PA2012-024)

THE ZONING ADMINSTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

- An application was filed by Ridgeway/Whitney, with respect to property located at 4221-4225 MacArthur Boulevard, and legally described as Parcel 1 of Resubdivision 0347 per a Map Recorded in Book 45, Page 23 of Miscellaneous Maps, Records of Orange County, California requesting approval of a Comprehensive Sign Program and Modification Permit.
- 2. The subject property is located within the PC-11 Zoning District (Newport Place Planned Community, General Commercial Site 8) and the General Plan Land Use Element category is MU-H2 (Mixed-Use Horizontal).
- 3. The applicant requests a Comprehensive Sign Program for a future commercial retail center located on a roughly 1.107 acre lot. The center will be developed with two commercial buildings with approximately six or more tenants.
- 4. The Comprehensive Sign Program is required to allow an increase in the size, area and location of the proposed wall signs otherwise restricted by the Newport Place Planned Community District Regulations. As proposed, wall signs will be increased in size based in part to the width of the tenant frontage, some tenants will be provided more than one wall sign, and each tenant will be allowed one additional pedestrian oriented sign and/or window sign.
- 5. The applicant also requests a Modification Permit to allow for a second freestanding monument sign to identify on-site retail tenants, where the Newport Place Planned Community District Regulations restrict the property to a single freestanding sign to identify restaurants only. Additionally, one freestanding sign will exceed the maximum height of four (4) feet specified by the Newport Place Planned Community District Regulations for monument signs, and more than the 20% increase that can be authorized by a comprehensive sign program.
- 6. A public hearing was held on April 25, 2012, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

- 1. This project has been determined to be categorically exempt under the requirements of the California Environmental Quality Act, pursuant to Section 15311 (Class 11 Accessory Structures).
- 2. Class 11 exempts construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

SECTION 3. REQUIRED FINDINGS.

Modification Permit to allow a second freestanding sign to exceed the permitted height as limited by the provisions of the Newport Place Planned Community District Regulations and the Zoning Code authority in conjunction with a comprehensive sign program.

In accordance with Section 20.52.050.E (Findings and decision) of the Newport Beach Municipal Code, the following findings and facts in support of the findings for a Modification Permit are set forth:

Finding

A. The requested modification will be compatible with existing development in the neighborhood.

Facts in Support of Finding

- 1. The subject property is located in the PC-11 (Newport Place Planed Community, General Commercial Site 8) District and is designated MU-H2 (Mixed-Use Horizontal) by the Land Use Element of the General Plan. This district is intended to provide for areas appropriate for accommodations, goods, and services intended to serve the neighborhood. The proposed commercial development and proposed signage is consistent with this land use designation. The application of the Zoning Code provisions for signs in place of the Newport Place Planned Community District Regulations is appropriate since the commercial shopping center is comparable to other such commercial centers located citywide. The proposed signage is accessory to the primary use.
- 2. The freestanding signs as proposed are in scale with the building frontages in that the maximum permissible size as denoted in the sign program matrix (Exhibit B) does not exceed 75 square feet.
- 3. The freestanding signs for 4221 MacArthur Boulevard (Building B) is 6 feet high (average, and 50% taller than allowed by the Newport Place Planned Community District Regulations) and 8 feet in length and the sign for 4225 MacArthur Boulevard

- (Building A) is 4 feet high (average) by 4 feet in length, complies with the code requirements.
- 4. The restaurant site to be identified on the monument sign is not visible from MacArthur Boulevard because of its location and distance from the street.
- 5. The increased height of the freestanding sign will be consistent and compatible with other commercial properties within the Newport Place Community and citywide.
- 6. The neighborhood includes restaurant properties with wall signs, and freestanding signs, and office buildings with additional monument signs and tenant wall signs that provide visibility from the public right-of-way. The tenant wall signs as proposed will provide adequate visibility from MacArthur Boulevard.

Finding

B. The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use.

Facts in Support of Finding

- 1. The perpendicular orientation of the main building (Building B) of the shopping center to MacArthur Boulevard, a major high speed arterial, limits the visibility of the tenant wall signs. Additionally, the main building will be further obscured by the second commercial building to be constructed at the north end of the site and by the office building located to the south.
- The proposed increased height of the freestanding sign is necessary due to the overall size of the commercial project, placement of the buildings on the site, and the speed of the traffic on MacArthur Boulevard. Additionally, several tenants are located interior to the property with limited visibility from the roadway.

Finding

C. The granting of the modification is necessary due to practical difficulties associated with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code.

Facts in Support of Finding

1. The property will be developed with two buildings with a total building frontage of approximately 131 lineal feet.

2. The modification permit will allow a freestanding sign that is in scale with the building and that provides enhanced visibility from MacArthur Boulevard frontage to the greatest extent possible.

<u>Finding</u>

D. There are no alternatives to the modification permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public.

Facts in Support of Finding

- 1. The granting of a modification permit allows the increased height of the freestanding sign to facilitate identification of the multiple tenants within Building B and the restaurant to the west to have visibility from MacArthur Boulevard. The existing restaurant to the west of the subject property (Restaurant Site 1 of Newport Place Planned Community) is 205 feet from the sidewalk on MacArthur Boulevard. No similar provision could be granted within the parameters of Section 20.42.120 (Comprehensive Sign Program) of the Zoning Code.
- 2. No foreseeable detriment will result from the approval of the modification permit as conditioned.

Finding

E. The granting of the modification would not be detrimental to public health, safety, or welfare, to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code.

Facts in Support of Finding

- The proposed freestanding signs are consistent with the identification signs of both the
 office buildings and the multi-tenant signage of the commercial projects within Newport
 Place Community and elsewhere in the City and for those reasons will not be detrimental
 to public health, safety, or welfare to the occupants of the property, nearby properties, the
 neighborhood, or the City.
- 2. The signage is for commercial uses in a commercial district and is not in or adjacent to a residential district.

Comprehensive Sign Program

Pursuant to Section 20.42.120 of the Zoning Code, approval of a Comprehensive Sign Program is required whenever a structure has more than three hundred (300) linear feet of frontage on a public street. In accordance with Section 20.67.120.E, a Comprehensive Sign Program shall comply with a number of standards. The following standards and facts in support of such standards are set forth:

Standard:

A. The proposed sign program shall comply with the purpose and intent of this Chapter [Chapter 20.42: Signs], any adopted sign design guidelines and the overall purpose and intent of this Section [Section 20.42.120].

Facts in Support of Standard:

1. In compliance with the purpose and intent of the Sign Code, the proposed Sign Program provides the uses with adequate identification without excessive proliferation of signage. Furthermore, it preserves community appearance by regulating the type, number, and design of signage.

Standard:

B. The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development when applicable.

Facts in Support of Standard:

- 1. The site is for use by multiple retail commercial tenants and the signage has been designed integral with the design and character of the building.
- 2. Each tenant will be permitted signage that will ensure adequate visibility is provided on site and from MacArthur Boulevard to the greatest extent possible.
- 3. Each tenant will be permitted signage pursuant to the submitted Newport Place Sign Program matrix to allow tenants in the multi-tenant building to have one or two wall signs, one pedestrian oriented or window sign, and limited identification on the freestanding signs, as part of the application. The freestanding building, if occupied by a single-tenant, will be allowed to have one wall sign on three building facades as depicted on the site plan. The size and location of the letters and logos of the signs will ensure that adequate visibility is provided, and not be abrupt in scale of the individual tenant frontage.

Standard:

C. The sign program shall address all signs, including permanent, temporary, and exempt signs.

Facts in Support of Standard:

1. The Sign Program submitted for the project addresses all project signage. Temporary and exempt signs not specifically addressed in the program shall be regulated by the provisions of Chapter 20.42.

Standard:

D. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.

Facts in Support of Standard:

- 1. The project site is for the use of multiple commercial tenants and has been designed to be effective for such uses.
- 2. It is not anticipated that future revisions to the program will be necessary to accommodate normal changes in tenants or uses. However, flexibility has been incorporated into the Sign Program Matrix to allow minor deviations from the proposed signs.
- 3. Consistent with Chapter 20.42, the Director [or his/her designee] may approve minor revisions to the Sign Program if the intent of the original approval is not affected.

Standard:

E. The program shall comply with the standards of this Chapter, except that deviations are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter.

Facts in Support of Standard:

- 1. The Sign Program requests deviation in the number of signs, size and location of wall signs and an increase in the size and number of freestanding signs which will aid and enhance the identification and visibility of the commercial tenants from the public roadway.
- The sign provisions of the Newport Place Planned Community District Regulations limit tenant signs to 4-inch letters in a single location over a doorway. The Sign Code of the Zoning Code generally allows one wall sign per tenant, with an area of up to 1.5

- times the linear footage of the tenant space. The use of the Zoning Code provisions is a more appropriate use in this retail commercial setting to provide adequate visibility for the commercial tenants.
- 3. The placement of the proposed wall signage does not provide the required separation from other signage or location, placement within the center 50% of the tenant frontage. However, the requirements as recommended for the tenants with narrow width shall provide a minimum distance of 6 feet from neighboring signs. This should provide adequate distance to avoid visible clutter and satisfy the intent of the sign code provisions.

Standard:

F. The Approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter.

Facts in Support of Standard:

1. The program does not authorize the use of prohibited signs.

Standard:

G. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.

Facts in Support of Standard:

1. The program contains no regulations affecting sign message or content.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

- 1. The Zoning Administrator of the City of Newport Beach hereby approves Comprehensive Sign Program No. CS2012-004 and Modification Permit No. MD2012-007, subject to the conditions set forth in Exhibit A and the parameters denoted in Exhibit B, which are attached hereto and incorporated by reference.
- 2. Comprehensive Sign Program and Modification Permit applications do not become effective until 14 days following the date of action. Prior to the effective date, the applicant or any interested party may appeal the decision of the Zoning Administrator to the Planning Commission by submitting a written appeal application to the Community Development Director. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

PASSED, APPROVED, AND ADOPTED THIS 25TH DAY OF APRIL, 2012.

Ву:		
-	Brenda Wisneski, AICP, Zoning Administrator	



EXHIBIT "A"

CONDITIONS OF APPROVAL

- 1. The development shall be in substantial conformance with the approved site plan, details, and elevations, except as noted in the following conditions.
- Upon demolition or substantial structural and nonstructural changes to the exterior of the development on which this approval is based, this Comprehensive Sign Program and Modification Permit shall be rendered nullified and a new Comprehensive Sign Program shall be obtained for the new or altered development in accordance with the Newport Place Planned Community District Regulations and the Zoning Code Provisions in effect at the time the new development is approved.
- 3. Locations of the signs are limited to the designated areas and shall comply with the limitations specified in the Sign Program Matrix included in Exhibit "B".
- 4. All signs shall be maintained in accordance with Section 20.42.170 (Maintenance Requirements) of the Newport Beach Municipal Code.
- 5. Locations of the signs are limited to the designated areas and shall comply with the limitations specified in the Sign Program Matrix included in Exhibit "B" and any applicable sight distance provisions of Chapter 20.42 of the Newport Beach Municipal Code or required by the Public Works Department (City Standard 110-L, using S=525 feet for MacArthur Boulevard). Additionally, the applicant shall provide Sight Distance Exhibits for review and approval by the Public Works Department prior to issuance of building permits.
- 6. No permanent structures are allowed within the Orange County Sanitation District easement. Show on the site plan that the monument signs are not located within the easement area.
- 7. Prior to issuance of building permits, the applicant shall submit to the Planning Department an additional copy of the approved architectural plans for inclusion in the Planning file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this approval and shall highlight the approved elements such that they are readily discernible from other elements of the plans.
- 8. A building permit shall be obtained prior to commencement of the construction and/or installation of the signs.
- 9. A copy of the conditions of approval shall be incorporated into the Building Department and field sets of plans prior to issuance of the building permits for the freestanding

signs, and the initial wall sign installations shall identify this approval as the authority for location size and placement.

To the fullest extent permitted by law, applicant shall indemnify, defend and hold 10. harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Newport Place Retail Center Sign Program including, but not limited to Modification Permit No. MD2012-007 and Comprehensive Sign Program No. CS2007-004 (PA2012-024) and the determination that the project is exempt under the requirements of the California Environmental Quality Act. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

EXHIBIT "B"

SIGN PROGRAM MATRIX

Frontages:

Building A: Street Elevation - LF: 65 feet 9 inches

North Elevation (parking lot) - LF: 62 feet 3 inches

South Elevation (parking lot) - LF: 55 feet 9 inches

Building B: Street Elevation – LF: 65 feet 6 inches
North Elevation (parking lot): LF: 127 feet

Type of Sign & Location	Primary Frontage Size limitations, where applicable	Secondary Frontage Size limitations, where applicable	Other Requirements
SIGN TYPE A (Wall Signs) 4225 MacArthur Blvd, Suite A-01	Street Elevation Max Number: 1 (One) Max Sign Area: 75 sq. ft. Max Sign Width: 50% of Tenant Frontage LF	North Elevation Max Number: 1 (One) Max Sign Area: 47 sq ft Max Sign Width: 50% of Tenant Frontage LF South Elevation Max Number: 1 (One) Max Sign Area: 47 sq ft Max Sign Width: 50% of Elevation LF	 Building A Max Vertical Dimension, Logo or Letter: 36 inches Location: May be located within the Center 75% of Tenant Frontage Minimum Distance (LF) from other wall signs: 10 feet
SIGN TYPE A (Wall Signs) 4221 MacArthur, Suite B-01	 Street Elevation Max Number: 1 (One) Max Sign Area: 70 sq. ft. Max Sign Width: 50% of Tenant Frontage LF 	North Elevation: Max Number: 1 (One) Max Sign Area: 54 sq ft Max Sign Width: 50% of Tenant Frontage LF	
SIGN TYPE A (Wall Sign) 4221 Mac Arthur, Suites B-02, B-03, B- 04	North Elevation Max Number: 1 (One) per tenant Max Sign Area: 39 square feet (if suites are combined, the sign width shall not exceed 1.5 x Tenant Frontage LF Max Sign Width: 14 feet		 Building B Max Vertical Dimension, Logo or Letter: 36 inches Location: May be located within the Center 75% of Tenant Frontage Minimum Distance (LF) from other wall signs: 6
SIGN TYPE A (Wall Signs) 4221 MacArthur, Suite B-05	North Elevation Max Number: 1 (One) Max Sign Area: 45 square feet Max Sign Width: 14 feet	 West Elevation Max Number: 1 (One) Max Sign Area: 49 sq ft Max Sign Width: 50% of Tenant Frontage LF 	feet

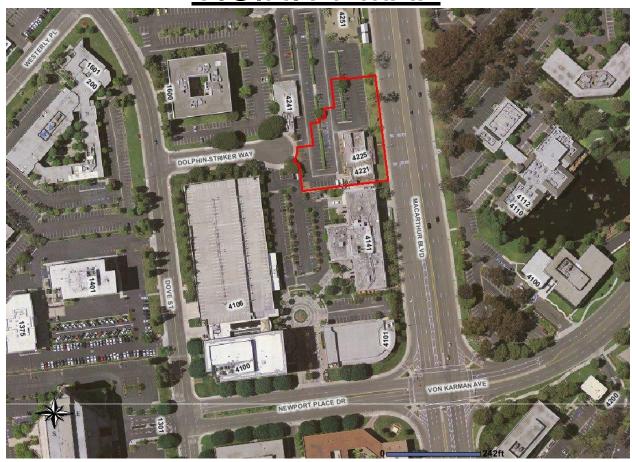
Type of Sign & Location	Primary Frontage Size limitations, where applicable	Secondary Frontage Size limitations, where applicable	Other Requirements		
SIGN TYPE G (Building Address Signs)	Bldg A and Bldg B Max Number: 1 (One) per building elevation Minimum Letter/Digit Height: 8 in. Max Sign Area: 3 sq. ft.				
SIGN TYPE M (Monument Sign – Multi-Panel and Project Identification Sign) 4221 MacArthur Blvd	 Max Height: 6 ft. average Max Length: 8 ft. in length Max Sign Area: 32 sq. ft. Max Vertical Dimension, Logo or Letter: 36 in. Location: North end of site within the 30-foot set-back area 				
SIGN TYPE M (Monument Sign - Multi-panel and Project Identification Sign) 4225 MacArthur Blvd	 Max Height: 4 ft. average Max Length: 4 ft. Max Projection Horizontal Architectural Elements or Base: 8 in. Max Sign Area: 20 sq. ft. Location: In front of 4225 MacArthur Blvd 				
SIGN TYPE F (Wall Sign - Project/Building Identification Sign) 4221 MacArthur Blvd	Location: North Elevation on Building Architectural Element: Max Sign Area: 11 ft. X 1.5 ft = 16.5 sq. ft.				
SIGN TYPE C (Pedestrian Oriented Signs)	Max Number: 1 (One) per tenant Max Sign Area: 3 sq. ft. Minimum Vertical Clearance from ground: 8 ft Max Length: 4 ft.				
SIGN TYPE E (Window Signs)	Number of Signs: One sign		0% of window area		

NOTES:

- a) LF = Linear Feet, a horizontal dimension.
- b) Wall sign requirements per Municipal Code Section 20.42.080 I, except as provided in this sign matrix.
- c) Sign area is the area measured by two perpendicular sets of parallel lines that surround the proposed logo and sign copy. All signs shall substantially conform to the approved sign matrix and generally as depicted on the attached illustrations document which is set forth by the landlord, stamped and dated February 29, 2012.
- d) Wall signs shall not extend above the building façade or roof, with the exception of Sign Type F which shall not extend above the architectural element as proposed.
- e) Pursuant to Section 20.42.120.F of the Zoning Code, the Community Development Director may approve minor revisions to the Sign Program if the intent of the original approval is not affected. This may include deviations on the tenant configurations resulting from combining or division changes of the submitted building plans.
- f) A minimum of 8 feet of clearance between the lowest part of a sign/awning and the grade below shall be provided.
- g) Temporary Banners* are limited to the regulations of Chapter 20.42, NBMC.

Attachment No. ZA 2

VICINITY MAP



Modification Permit No. MD2012-007 Comprehensive Sign Program No. CS2012-004 (PA2012-024)

4221-4225 MacArthur Boulevard

Attachment No. ZA 3

Applicant's Justification Letter

4221-4225 MacArthur Blvd Modification Permit No. MD2012-007 Comprehensive Sign Program No. CS2012-004 (PA2012-024)

COMPREHENSIVE SIGN PROGRAM APPLICATION Newport Place

Project Description:

The purpose of a comprehensive Sign Program is to integrate all of a project's sign, including a project identification sign with the overall site design and the structures' design into a unified architectural statement. The attached Comprehensive Sign Program provides a means for the flexible application of sign regulations for the Newport Place, a multi-tenant commercial project of 12,351 square feet governed by the Newport Place Community text. The project will require multiple signs and the intent of the requirements of the city is to provide incentive and latitude in the design and display of multiple signs.

Justification:

Applicant hereby files his Comprehensive Sign Program pursuant to the Modification Permit procedure for the city of Newport Beach. The following findings are submitted for review and incorporate findings unique to the setting that this commercial project.

- The requested modification is compatible with existing development within the Newport Place Community Text. Further, it is compatible with the building immediately adjacent to the project.
 - a. The monument signs are in a scale that is smaller than the Classic Q monument sign that is 12 feet high and 12 feet wide. The monument sign in front of Glidewell Labs is 4 feet in height and 22 feet in length. The monument sign at Newport Plaza on Bristol is approximately 20 feet wide and 22 feet tall.
 - b. The fascia signs are consistent with the fascia signage on Saagar Restaurant and Classic Q. Newport Place has individual storefront sign on a fascia frontage for approximately 18 stores.
- 2. The granting of the modification is necessary due to the unique physical characteristics of the property and the surrounding area. Specifically, there is a 30 foot setback area from the street and the traffic travels at a high rate of speed. The monument signs and the fascia signs will be seen by the traffic because of the respective location and size of the signs.
- 3. As stated above regarding the setback and travel speed of traffic, the granting of the modification is necessary due to practical difficulties associated with the property and strict application of the Zoning Code will result in a physical hardship. Also, the site is elevated from the roadway and this program will allow patrons to more easily identify the uses with in the center.
- 4. There are no alternatives to the Modification Permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public. This program is consistent with all the sign programs governed by the Newport Place Community Text and is consistent with the signs in Koll Center Newport.

5. The granting of the modification would not be detrimental to public health, safety, or welfare to the occupants of the property, nearby properties, the neighborhood, or the city, or result in a change in density or intensity what would be inconsistent with the provisions of this Zoning Code.

Standards:

- 1. The submitted program enhances the overall development and is in harmony with, relates visually to other signs included in in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development.
- The Sign criteria as prepared by Signage Solution address all signs, including permanent, temporary and exempt signs.
- 3. The sign program has built in flexibility that can accommodate future revisions that may be required because of changes in use or tenants.
- 4. The program as submitted complies with the standard of the Comprehensive Sign Program of the City of Newport Beach zoning code. The deviations from the code are noted in the application and are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of the Chapter. Further, the submitted findings support the signage program.

Newport Place

Comprehensive Sign Program

February 21, 2012

Prepared by: Graphic Solutions 2952 Main Street San Diego, CA 92113

PA2012-024 for MD2012-007 CS2012-004 4221-4225 MacArthur Boulevard Ridgeway/Whitney

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SIGN TYPE: (G) ADDRESS SIGNS	3
TEMPORARY SIGNAGE	
Project Leasing / Construction / Future Facilities	
Temporary Identification / Coming Soon	
REQUIRED SUBMITTALS AND APPROVALS 2	5

OBJECTIVE

The objective of the Newport Place Sign Program is to provide comprehensive design standards and specifications that assure consistency in quality, color, size, placement, and configuration for signage throughout the project.

DESIGN GUIDELINES

A. Acceptable Sign Treatments

Only those sign types specified in the Sign Program and/or specifically approved in writing by the Owner and the City will be allowed. Sizes and quantities for signs shall be as outlined in the criteria and exhibits for each sign type. See details for each sign type below.

A strong connection shall be maintained between all signage and the project architecture and landscaping. Elements of color, materials, scale, form and detail shall be reflected in the signage. Signs shall fit comfortably, never crowding the architectural and landscape elements in the immediate vicinity.

B. Lighting

- All front lighting, lamps and fixtures shall be baffled or obscured in channels where possible, and shall not interfere with adjacent properties.
- 2. All electrical housings and posts for signs shall be painted out to match the building background immediately behind and adjacent to the sign.
- 3. Acceptable lighting treatments:
 - · Internally illuminated channel letters
 - · reverse channel (halo-illuminated) letters
 - · externally illuminated dimensional letters
 - Internally illuminated cabinets with opaque faces and pop through letters are acceptable on Mounuent signs only.

C. Colors

Sign colors shall be designed to provide sufficient contrast against background colors. Nationally recognized tenants may use their corporate colors subject to Owner's prior written approval.

D. Copy / Typestyles

Copy and layout are subject to Owner's prior written approval.

E. Sizes and Quantities

Sizes and quantities for signs shall be as outlined in the criteria for each sign type. Notwithstanding the maximum square footage specified for copy area allowances, adequate amounts of visual open space shall be provided so that signs appear balanced and in scale in relation to their backgrounds and adjacent signage.

1. Sign area shall be calculated as follows:

The entire area contained in the frame, cabinet, fixture, or design including all ornamentation, super graphhics, or other dcoration used to atract attention that can be enclosed in no mort than four lines drawn at right angles.

2. Letter / Logo Height:

Maximum letter/logo height shall not exceed 30".

F. Locations

Ground signs may be located within landscaped zones and landscape corridors, between property lines and building setback lines, allowing for adequate sight-lines for vehicular traffic at street intersections and project entries, but may not be located in the public right-of-way. Ground signs on any lot or parcel within the project boundaries and may list any tenant in the project.

Tenant wall signs need not be attached to the lease space to which they refer, and may be located on the architectural element of the building in which the tenant leases space, with Owner's approval. Signs must be located below the eaveline of the roof eave, tower or parapet. The width of any sign shall not exceed 75% of the width of the building frontage or tenant lease space to which it pertains or available architectural background upon which it is placed.

G. Tenant Listings on Monument Signs

Tenant listings on monument signs are limited to those designated by the Owner.

H. Prohibited Signs

- 1. Any sign not in accordance with this Sign Plan.
- A-frame signs
- 3. Animated signs, rotating, revolving, flashing, animated, blinking, gyrating or moving signs.
- Changeable copy signs, except as a component of another type sign allowed through the comprehensive sign program
- Commercial mascots
- 6. Balloons or other inflatable devices.
- 7. Pole signs
- 8. Roof signs
- 9. Cabinet signs with plexiglas faces and/or illuminated background.
- Vehicles, trailers or other signs or devices when used exclusively or primarily as advertising devices or displays.
- 11. Signs that create a safety hazard or resemble or conflict with any traffic control device.

- 12. Flags, pennants, streamers, spinners, festoons, windsocks, valances or similar displays without prior approval by the Owner. United States or California flags may be permitted, limited to one each per site maximum.
- 13. Any signs not addressed in this sign plan and specifically prohibited by City of Newport beach Zoning and Signage Regulations.

I. Owner's Right to Enforce

The Owner may, at its sole discretion and at the violator's cost, correct, replace or remove any sign that is installed without written approval and/or that is deemed not to be in conformance with the Sign Program, the plans as approved by the Owner, or erected without appropriate governmental agency approval or permits.

J. Abandoned Signs

An abandoned sign is that whose use is discontinued because the premises upon which it is located becomes vacated and unoccupied for a period of more than 30 days. The Owner may, at its sole discretion and at the violator's cost, replace or remove any abandoned sign.

CONSTRUCTION REQUIREMENTS

The following requirements shall be observed:

A. Materials

- Signs must be made of durable, rust-inhibited materials that are appropriate and complementary to the building architecture. All materials must be new.
- 2. All ferrous and non-ferrous metals shall be separated with non-conductive gaskets and stainless steel fasteners be used to secure ferrous to non-ferrous metals.
- All bolts and fastenings shall consist of stainless steel, anodized aluminum, brass or bronze; or carbon-bearing steel with painted finish. No black iron materials are allowed.

B. Processes and Installation

- Joining of materials (e.g., seams) shall be finished in such a way as to be unnoticeable.
 Visible welds shall be continuous, ground smooth and filled. Rivets, screws, and other fasteners that extend to visible surfaces shall be flush, filled, and finished so as to be unnoticeable. Finished surfaces of metal shall be free from canning, warping and other imperfections.
- Dimensional letters and plaques shall be affixed without visible means of attachment, unless attachments make an intentional design statement and are shown on approved shop drawings.

- Penetrations into building walls, where required, shall be made waterproof, subject to Owner's review. Immediately upon abandonment or removal, building walls shall be restored at tenant's expense.
- In no case shall any manufacturer's label be visible from the street from normal viewing angles.
- 5. Sign permit stickers shall be affixed to the bottom edge of signs, and only that portion of the permit sticker that is legally required to be visible shall be exposed.
- 6. All logo images and typestyles once approved by Owner, shall be accurately reproduced. Lettering that approximates intended typestyles shall not be acceptable.
- 7. Threaded rods or anchor bolts shall be used to mount sign letters which are spaced out from background panel or building wall. Angle clips attached to letter sides are not permitted.

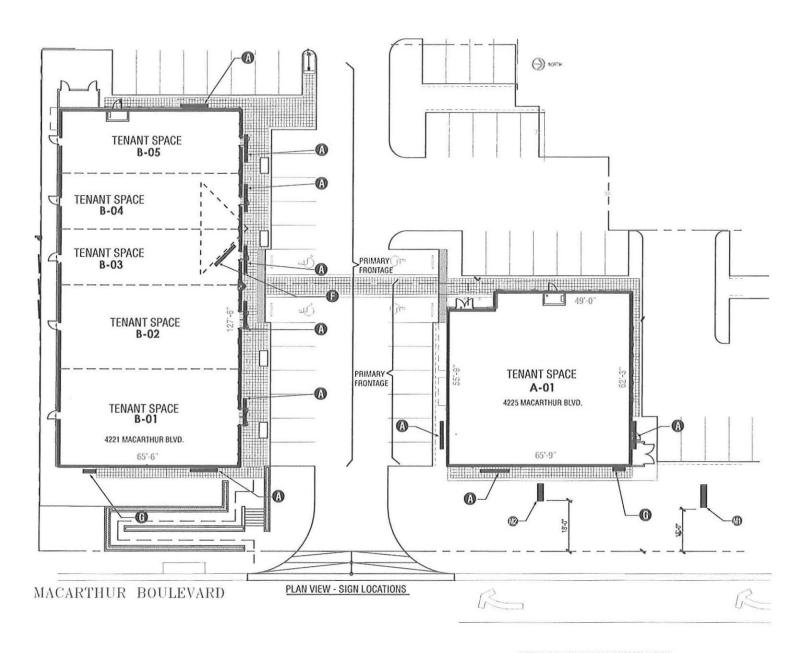
C. Paint

- Color coatings shall exactly match the colors specified on the approved plans. Surfaces
 with color mixes and hues prone to fading (e.g., pastels, fluorescent, complex mixtures, and
 intense reds, yellows and purples) shall be coated with ultraviolet-inhibiting clear coat in a
 matte, gloss, or semi-gloss finish. All finishes shall be free of dust, orange peel, drips, and
 runs and shall have a uniform surface.
- All visible finishes shall be semigloss unless otherwise called out on shop drawings and approved by Owner.

EXHIBITS

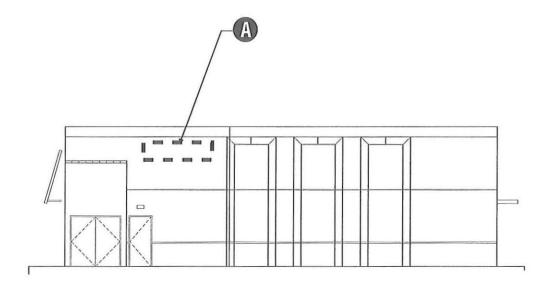
Note: All maps and figures indicate **typical** design concepts and locations and are subject to change. Exhibits are not intended to suggest final sign designs or exact locations, depending on final site development and entry drive configuration.

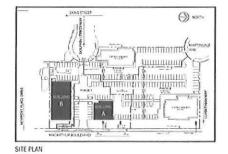
SITE PLAN



- (A) WALL SIGN
- (NOT SHOWN)
- NOT USED
- (NOT SHOWN)
- PROJECT ID. SIGN
- (B) BUILDING ADDRESS NUMBERS
- MONUMENT SIGN
- **MONUMENT SIGN**

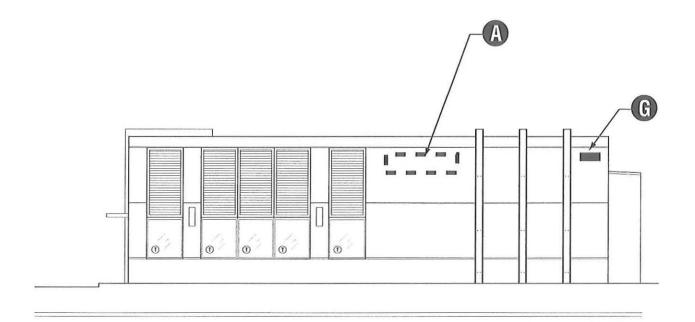
Building A - North Elevation

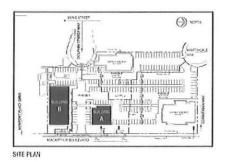




- (A) WALL SIGN
- (I) PEDESTRIAN ORIENTED
- NOT USED
- (B) WINDOW
- PROJECT ID. SIGN
- **(6)** BUILDING ADDRESS NUMBERS
- **MONUMENT SIGN**
- MONUMENT SIGN

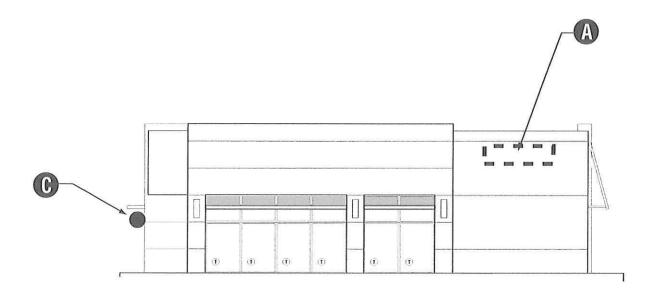
Building A - East Elevation

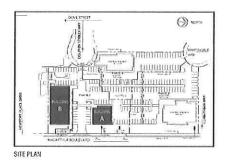




- M WALL SIGN
- (I) PEDESTRIAN ORIENTED
- NOT USED
- (B) WINDOW
- PROJECT ID. SIGN
- **(6)** BUILDING ADDRESS NUMBERS
- MONUMENT SIGN
- MONUMENT SIGN

Building A - South Elevation

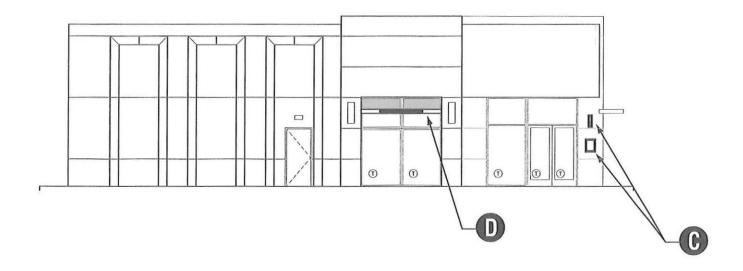


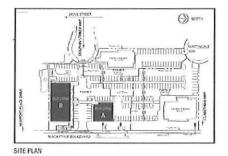


TENANT IDENTIFICATION SIGN TYPES:

- (A) WALL SIGN
- (I) PEDESTRIAN ORIENTED
- NOT USED
- WINDOW
- PROJECT ID. SIGN
- **(G)** BUILDING ADDRESS NUMBERS
- MONUMENT SIGN
- MONUMENT SIGN

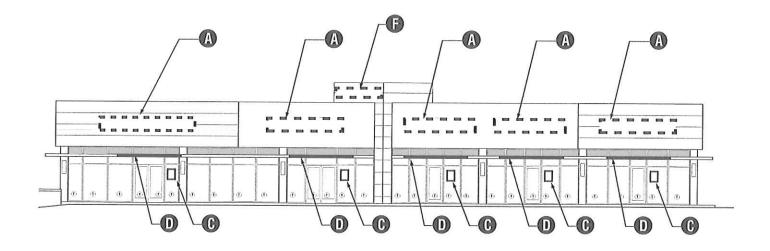
Building A - West Elevation

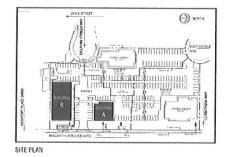




- M WALL SIGN
- (I) PEDESTRIAN ORIENTED
- (I) NOT USED
- (B) WINDOW
- PROJECT ID. SIGN
- (B) BUILDING ADDRESS NUMBERS
- MONUMENT SIGN
- **MONUMENT SIGN**

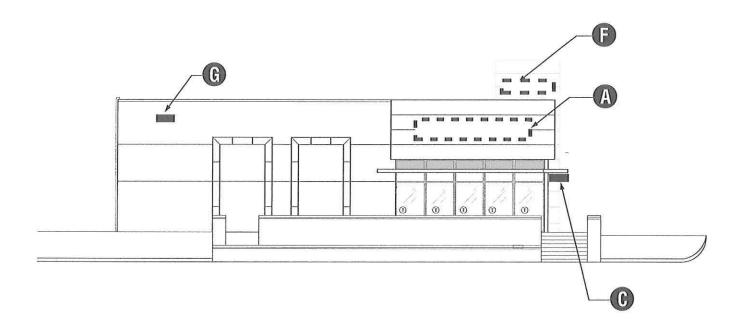
Building B - North Elevation

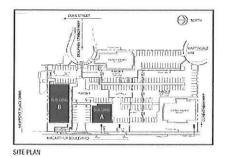




- (A) WALL SIGN
- (B) PEDESTRIAN ORIENTED
- NOT USED
- (3) WINDOW
- PROJECT ID. SIGN
- **(**BUILDING ADDRESS NUMBERS
- **MONUMENT SIGN**
- MONUMENT SIGN

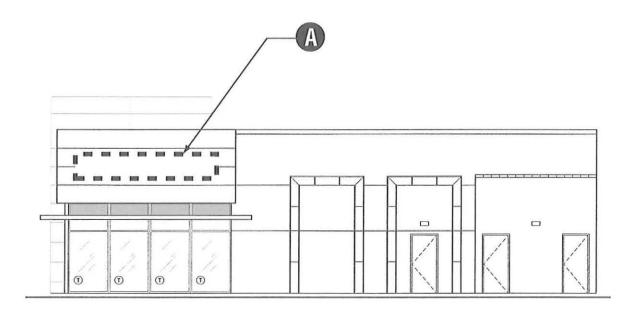
Building B - East Elevation

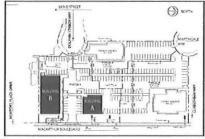




- M WALL SIGN
- (I) PEDESTRIAN ORIENTED
- NOT USED
- (B) WINDOW
- (B) PROJECT ID. SIGN
- (1) BUILDING ADDRESS NUMBERS
- MONUMENT SIGN
- MONUMENT SIGN

Building B - West Elevation





SITE PLAN

- M WALL SIGN
- (I) PEDESTRIAN ORIENTED
- NOT USED
- WINDOW
- PROJECT ID. SIGN
- **(G)** BUILDING ADDRESS NUMBERS
- MONUMENT SIGN
- **MONUMENT SIGN**

PROJECT SIGNAGE

SIGN TYPE: (M1) PROJECT IDENTIFICATION MONUMENT

QUANTITY 1

LOCATION As indicated on Sign Location Plan.

TEXT Message may contain project identification, up to 6 tenant listings

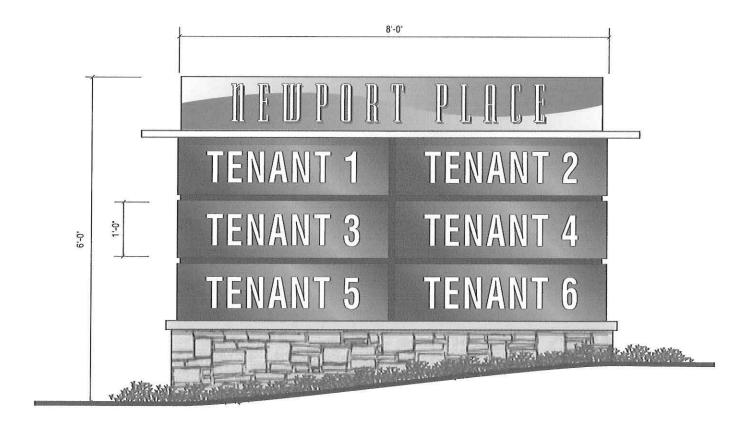
SIGN AREA 50 sq. ft. max.; Max. ht.: 6'-0". (Note: sign face 4 ft high).

MATERIALS Compatible with building architecture. Tenant listings: pop-through letters on opaque faced tenant

panel.

COLORS White tenant copy on dark background per Owner's specifications.

TYPE FACE Custom project identity; tenant identification
LIGHTING Direct or indirect per Design Guidelines



- (A) WALL SIGN
- (I) PEDESTRIAN ORIENTED
- NOT USED
- (B) WINDOW
- PROJECT ID. SIGN
- **(6)** BUILDING ADDRESS NUMBERS
- MONUMENT SIGN
- MONUMENT SIGN

SIGN TYPE: (M2) TENANT IDENTIFICATION MONUMENT

QUANTITY 1

LOCATION As indicated on Sign Location Plan.

COPY Message may contain project identification, up to 2 tenant listings

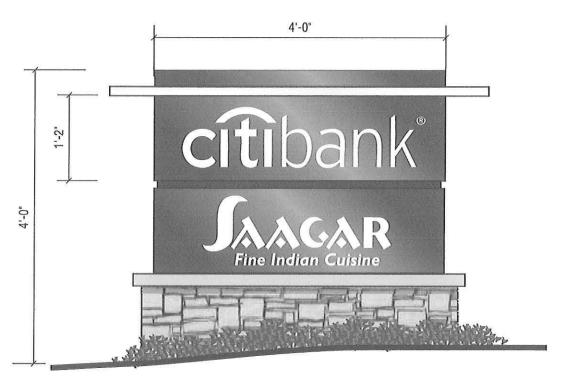
SIGN AREA 20 sq. ft. max.; Max. ht.: 4'-0"

MATERIALS Compatible with building architecture. Tenant listings; pop-through letters on opaque faced tenant

panel.

COLORS White tenant copy on dark background per Owner's specifications.

TYPE FACE Custom project identity; tenant identification
LIGHTING Direct or indirect per Design Guidelines



TENANT IDENTIFICATION SIGN TYPES:

- M WALL SIGN
- (PEDESTRIAN ORIENTED
- NOT USED
- WINDOW
- PROJECT ID. SIGN
- (B) BUILDING ADDRESS NUMBERS
- MONUMENT SIGN
- MONUMENT SIGN

SECONDARY SITE SIGNAGE

Secondary site signage are signs other than the primary project, development or tenant identification signs and may include:

- address signage
- street name signs
- suite number signs
- · code-required signs

The number and locations of secondary signs shall be subject to city review. Sizes shall not exceed allowances per city code.

TRAFFIC AND PARKING REGULATORY SIGNAGE

Traffic and Parking Regulatory Signs shall be allowed per city code.

TENANT SIGNAGE

Designated Primary and Secondary building frontages for determining sign standards are shown on the Site Plan. Sign standards are shown for each individual sign type and modified by the criteria below.

PRIMARY FRONTAGE TENANT IDENTIFICATION

Tenant may choose ONE of the Tenant Identification sign types - Wall Sign or Window Sign per primary frontage in addition to a Pedestrian Oriented Sign per as follows:

QUANTITY 1 per tenant occupancy primary frontage

SIGN AREA 1.5 sq. ft. of aggregate sign area per lineal foot of primary building frontage. Up to

75% of the width of the available architectural background may be used for signage.

SECONDARY FRONTAGE TENANT IDENTIFICATION

Tenant may choose ONE of the Tenant Identification sign types - Wall Sign or Window Sign per frontage. However, signage on secondary frontages are limited as follows:

QUANTITY 1 per tenant occupancy secondary frontage. Up to two secondary frontages may be

allowed for pad tenant.

SIGN AREA 50% of aggregate sign area allowed for primary building frontage for any combina-

tion of building signs. Up to 75% of the width of the available architectural back-

ground may be used for signage.

SIGN TYPE: (A) TENANT IDENTIFICATION WALL SIGNS

LOCATION Mounted flat against building wall, as designated by Owner.

COPY Tenant names / logo. Per Owner's discretion.

SIZE Tenant identification Wall are included in aggregate tenant sign allowance. 30" max. letter height.

75 sq. ft. max per sign.

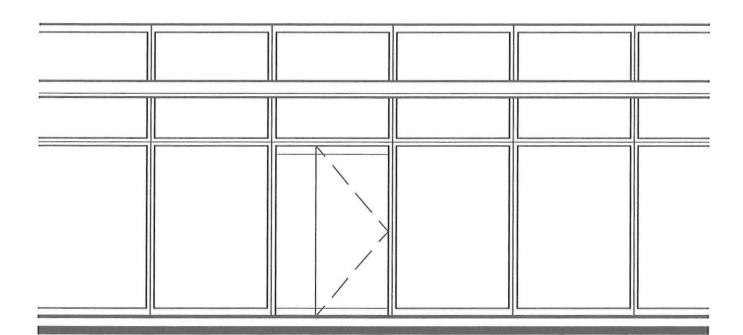
MATERIALS Channel letters; dimensional letters; painted; or other material compatible with building architecture.

COLORS Tenants may use custom colors with Owner approval. Colors shall be compatible with the building

architecture.

TYPE FACE Custom tenant logotype / name with Owner approval.





SIGN TYPE: (C) PEDESTRIAN ORIENTED SIGNS

QUANTITY 1 per establishment. May be used in combination with other building signs.

LOCATION On building wall occupied by tenant, with Owner approval.

COPY Tenant names / logo. Per Owner's discretion.

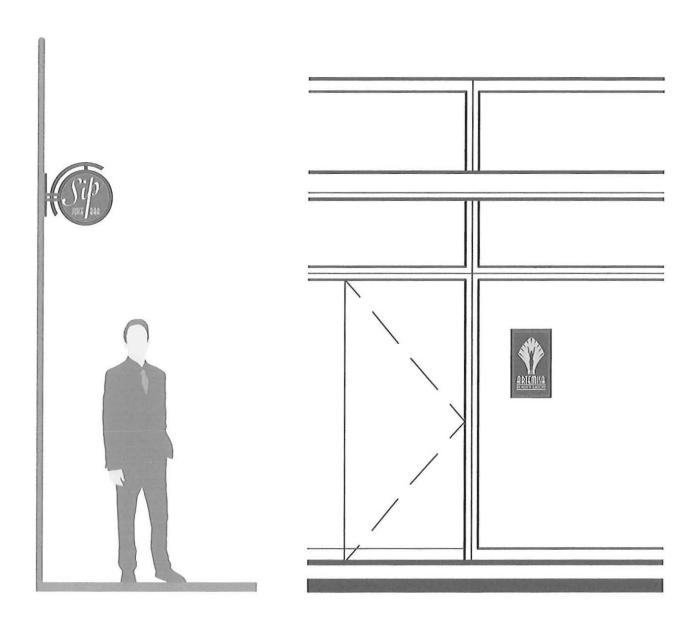
SIZE Pedestrian Oriented Signs are included in aggregate tenant wall sign allowance. 3 sq. ft. max.

MATERIALS Channel letters, dimensional letters; painted; or other material compatible with building architecture.

COLORS Tenants may use custom colors with Owner approval. Colors shall be compatible with the building

architecture.

TYPE FACE Custom tenant logotype / name with Owner approval.



SIGN TYPE: (E) WINDOW SIGNS

LOCATION On window occupied by tenant, with Owner approval.

COPY Tenant names / logo. Per Owner's discretion.

SIGN AREA Tenant identification signs on windows are included in aggregate tenant wall sign allowance. Up to

20% max of each window

MATERIALS Vinyl, gold leaf or other material compatible with building architecture.

COLORS Tenants may use custom colors with Owner approval. Colors shall be compatible with the building

architecture.

TYPE FACE Custom tenant logotype / name with Owner approval.



SIGN TYPE: (F) BUILDING IDENTIFICATION

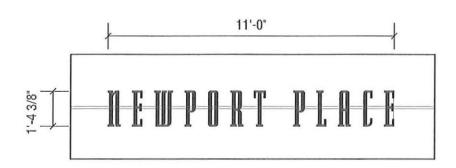
LOCATION On building architectural projection

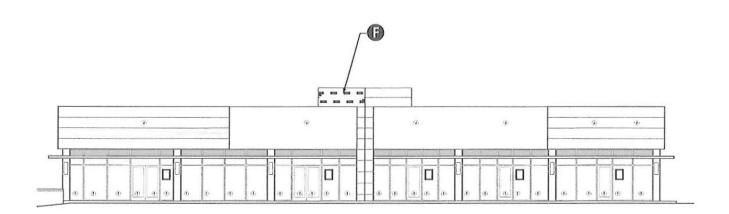
COPY Project name SIGN AREA 15 sq. ft.

MATERIALS Dimensional Channel letters

COLORS Colors shall be compatible with the building architecture.

TYPE FACE Custom project identification





SIGN TYPE: (G) ADDRESS SIGNS

LOCATION

On building street wall

COPY

Address numerals

SIZE

8" high max.

MATERIALS

Dimensional letters

COLORS

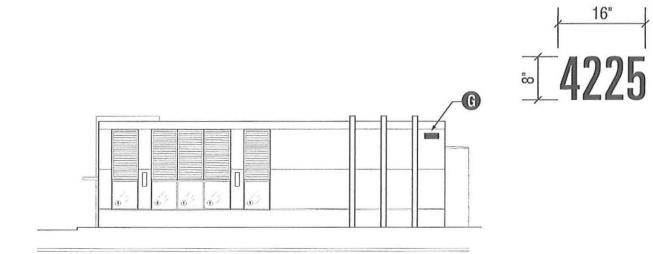
Colors shall be compatible with the building architecture.

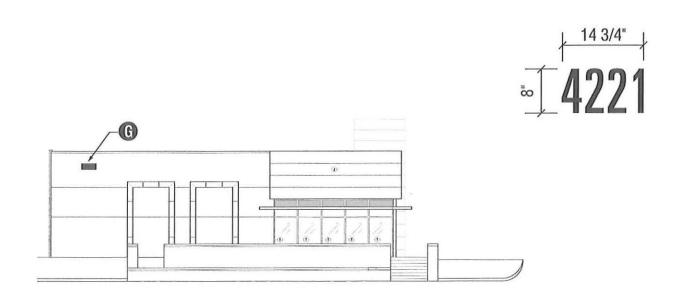
TYPE FACE

Custom project typestyle

LIGHTING

Non-illuminated





TEMPORARY SIGNAGE

Project Leasing / Construction / Future Facilities

Temporary signs are permitted for various activities during and after completion of the development phase, size and quantity per city zoning ordinances

Temporary Identification / Coming Soon

Temporary signs may be allowed at individual lease spaces for displaying "for lease", "coming soon" and similar messages subject to Owner's approval. Tenant is responsible for City approvals or permits if applicable.

Temporary signs shall not exceed allowances per City code.

REQUIRED SUBMITTALS AND APPROVALS

A. Submittals and Approvals

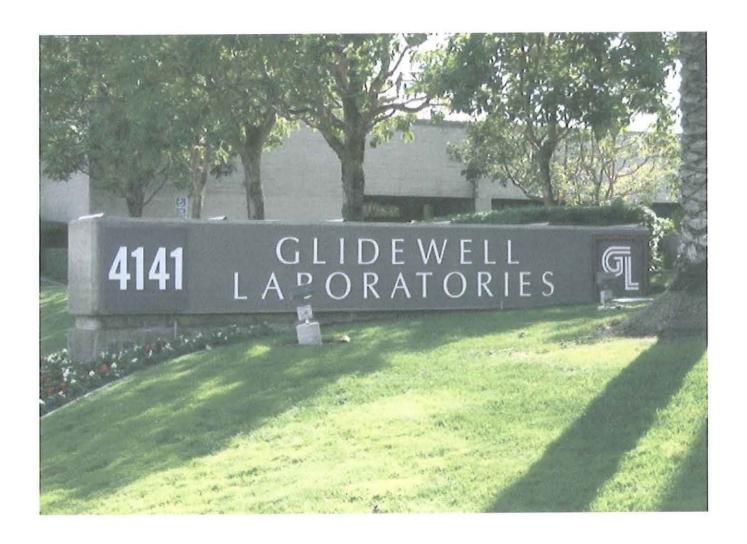
There is a formal process for the creation, review and approval of all signage at Newport Place. Prior to submittal to the City, plans for all proposed signage shall be submitted to the Owner or his Authorized Agent who will review plans for conformance with the sign program. The Owner shall have the discretionary authority to deny approval for any submittal.

- 1. For signage approval, such submissions shall include (3) sets of the following:
- a. Name, address and phone number of tenant / user
- Name, address and phone number of Sign Contractor
- c. Elevation of structure showing all proposed signs indicating sign type, design, location, size and layout of sign drawn to scale and indicating dimensions, attachment devices and construction details, colors, materials and lighting details.
- d. Section detail of letters and/or sign element showing the dimensioned projection of the face of letters, method and intensity of illumination.
- e. Color board with actual sample colors (8-1/2" x 11" format).
- 2. Requests to establish signs that vary from the provisions of this sign program shall be submitted to the Owner in writing for approval prior to being submitted to the City. All proposed variances in an application to the Owner must be clearly identified as such.
- Following approval of proposed signage by the Owner, applications for all permits for fabrication and installation by Sign Contractor may be submitted to the City for approval, along with applicable sign permit applications.
- Fabrication and installation of all signs shall be performed in accordance with the standards and specifications outlined in these guidelines and in the final approved plans and working drawings.

B. Required Insurance and Permits

Prior to installation, the tenant shall provide to the Owner an original certificate of insurance from his sign contractor naming the Owner as an additional insured for liability coverage and a copy of the sign permits issued by the City.



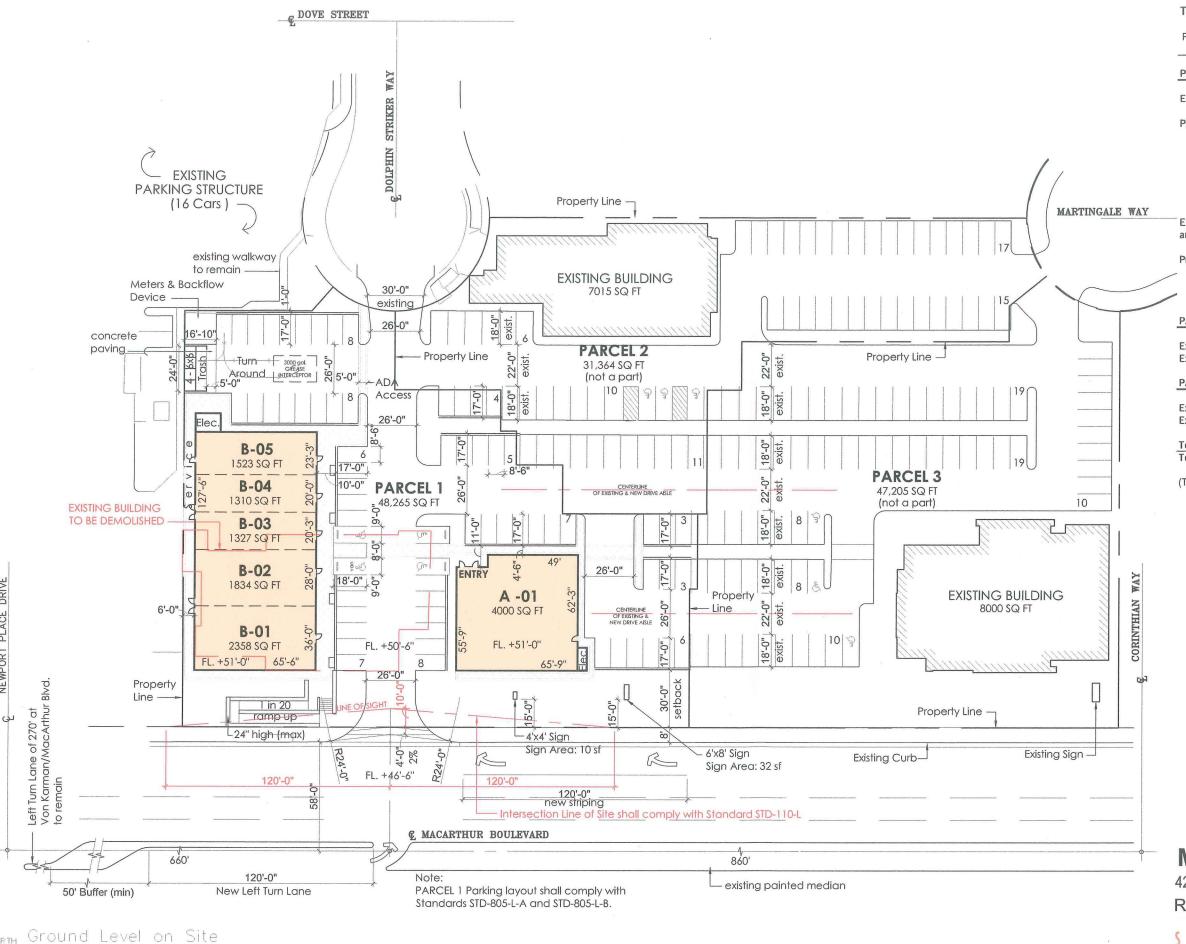




Attachment No. ZA 4

Project Plans and Supporting Documentation

4221-4225 MacArthur Blvd Modification Permit No. MD2012-007 Comprehensive Sign Program No. CS2012-004 (PA2012-024)



PA2012-024 for MD2012-007 CS2012-004 4221-4225 MacArthur Boulevard Ridgeway/Whitney

TABULATION SUMMARY

Parcel Name		E	Building A (sf)	Parking Provided (cars)				
PARCEL 1		48,221	sf					
Existing Building to be removed				8,000	sf			
Proposed Buildings Pad A				4,000				
Pad B	(Retail Use)	4,000		8,351				
	(Retail Use) (Food Use)	3,351 5,000						
Total Area				12,351	sf			
Existing Par and/or remo					78		cars	
Proposed Parking (On-Site) Existing Off-Site Parking						65 16		cars
Total Parking (including Off-Site)							81	cars
PARCEL 2 (not part)		31,364	sf					
Existing Building Existing Parking (On-Site)				7,015	sf		59	cars
PARCEL 3 (not part)		47,205	sf					
Existing Building Existing Parking (On-Site)				8,000	sf		74	cars
Total Building Area Total On-Site Parking				27,366	sf		198	cars
(Total On-Site & Off-Site Parking For Parcel 1							214	cars)

MacArthur at Dolphin Striker

4221 Dolphin Striker Way

Newport Beach, CA

RIDGEWAY DEVELOPMENT

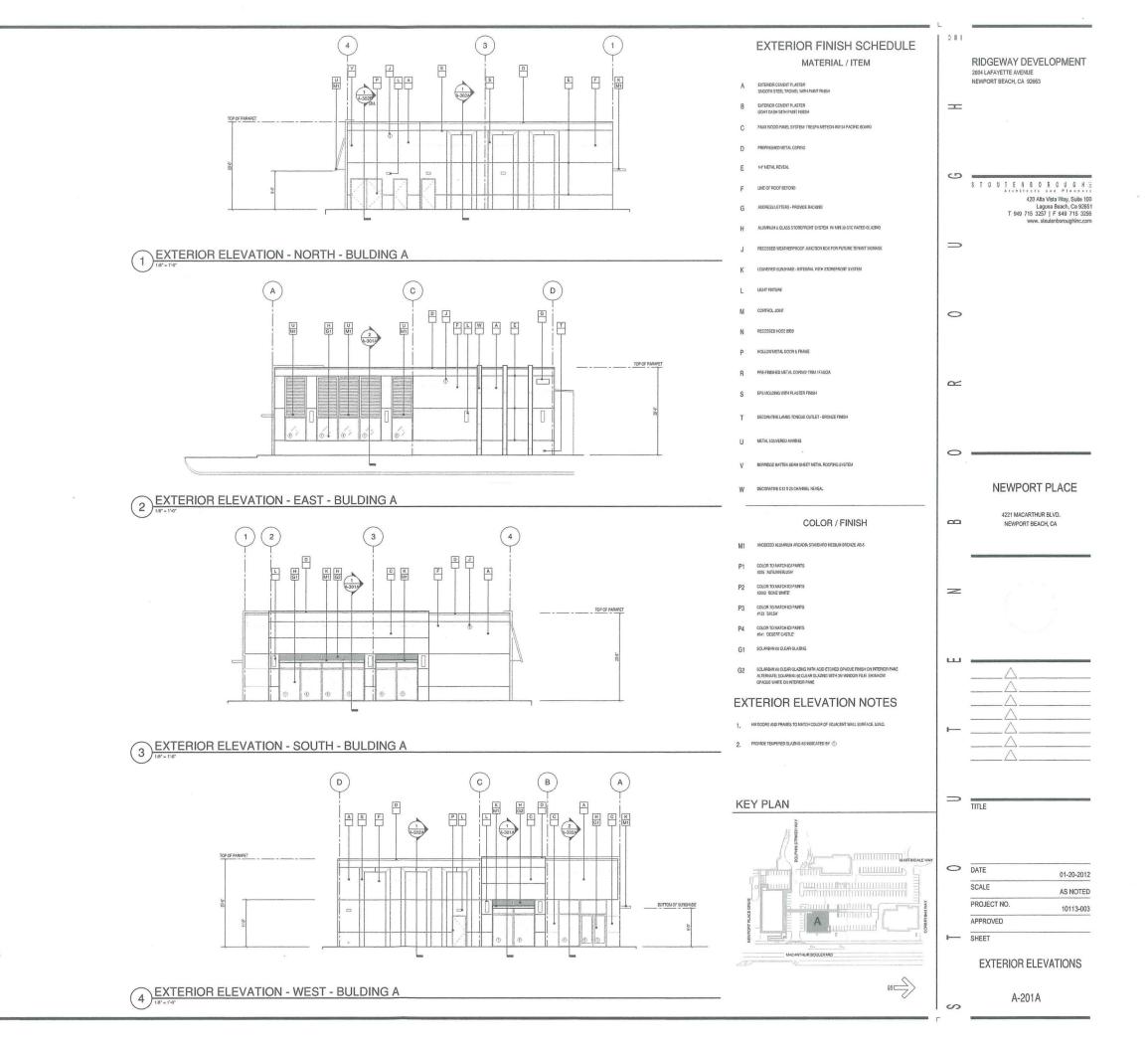
RIDGEWAY DEVELOPMENT

RIDGEWAY DEVELOPMENT

Respectively. Newport Beach
CA 92663: Tel. 1 (949) 723-5854



420 Alra Vista Way, Suite 100, Laguna Beach, Ca. 92651 T9497153257 I F9497153256 L www.stoutenboraughinc.com



PA2012-024 for MD2012-007 CS2012-004 4221-4225 MacArthur Boulevard Ridgeway/Whitney

